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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,105	12/02/2003	Chung-I Chang	BP3033-Y20-P2	2781
54826	7590	02/10/2006	EXAMINER	
SALLY CHANG			LUU, MATTHEW	
7F, NO. 3, ALLEY 32, SEC. 6 CHUNG-HSIAO EAST RD.			ART UNIT	
TAIPEI, TAIWAN, R.O.C. 115			PAPER NUMBER	
TAIPEI, 115			3663	
TAIWAN			DATE MAILED: 02/10/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

Through out the specification, the word "colormeter" should be changed to - - colorimeter - -.

The specification, page 1, third paragraph, "Then a colormeter is sued to capture the values", should be - - Then a colormeter is used to capture the values - -.

Page 4, line 8, "playing" should be - - displaying - -.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seegers et al (6,439,722) in view of Evanicky et al (US 2004/0036708) (hereinafter Evanicky) and Liang (5,579,031).

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Regarding claim 3, Seegers et al disclose (Figs. 1, 3, and 4) a method for generating a color monitor profile for different operating systems (column 2, lines 5-10, the server-based system and the customer's system) comprising the steps of:

forming a multimedia film (Fig. 4, films 40-70) for a screen to be measured (Fig. 3, screen 80);

displaying the multimedia film (82) on the screen (80) (column 5, lines 43-54);

measuring the color values using the colorimeter to produce the color profiles of the monitors is also mentioned by Seegers et al (column 1, lines 32-37); and

a computer (Fig. 1, workstation 18) having a color management software (color matching process) so as to build a color monitor profile (Fig. 1, create monitor profile 22) for the computer (column 3, lines 4-14; and column 4, line 61 to column 5, line 5).

The only difference between the disclosure of Seegers et al and the claimed invention is that the claim 3 requires a colorimeter positioned near the display screen for measuring hues, gray levels, and color R, G, B values. Seegers does not explicitly teach the computer operating system is different from the display screen operating system.

However, Evanicky discloses (Fig. 9, 14, and 15) a colorimeter (800a) positioned near the display screen (216) for measuring the gray levels and the color R,G,B values (Fig. 15). The output of the colorimeter (800a) is transferred to the computer (10) for building a color monitor profile. See page 9, section 84 to page 10, section 91.

Evanicky also mentions the using of screen-to-film color matching in the color profiling process (page 10, section 91, the last line).

Therefore, it would have been obvious to a person of ordinary skill in the art to use the colorimeter for measuring the gray levels and the color R,G,B values for building a color monitor profile, as taught by Evanicky, into the color monitor profiling system of Seegers et al to provide a precise color calibration or color matching in a color monitor profiling system.

Regarding to the measuring the hues values, as defined in the Webster's New World Dictionary, Third College Edition, the word "colorimeter" means "an instrument for determining the intensity and hue of a color..." Thus, it would have been obvious that the colorimeter (800a) of Evanicky can measure the gray levels, the color R,G,B, and as well as the hues of the color values.

As to the computer system for executing the color management software is different from that used to the display screen to be measured, Seegers also discloses (Fig. 5) the computer operating system (92) for executing the color management is different from the screen (projection screen 96) to be measured (Column 7, lines 10-42).

Liang (5,579,031), on the other hand, also discloses (Figs. 1 and 2) a computer system for executing the color management (workstation 10 comprises a scanner, an

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image processor and a display device) (Column 5, lines 4-9) is different from the display screens (12 and 14) to be measured by the colorimeter (36) (Column 5, line 58 to column 6, line 20).

Therefore, it would have been obvious to the person of ordinary skill in the art to use the color management computer system (workstation 10) of Liang into the color monitor profile system of Seegers for producing at least two matched color displays of a digital image using two different display systems.

Furthermore, it is well known in the art that a Color Management System (CMS) is a technology for matching the manners in which the color is visible among the different input/output devices, which comprises different operating systems. By use of the CMS, it becomes possible to match the manners in which the color is visible between an image read by a scanner and an image displayed on the display unit or, between an image printed by the printer and the image read by the scanner or the image displayed on the display unit.

Regarding claim 4, Seegers et al discloses (Fig. 3) the screen (80) to be measured is any operating system currently used. Seegers also discloses (Fig. 5) the computer operating system (92) for executing the color management is different from the screen (projection screen 96) to be measured (Column 7, lines 10-42).

Response to Arguments

Applicant's arguments with respect to claims 3 and 4 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (571) 272-7663. The examiner can normally be reached on Flexible Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JACK KEITH can be reached on (571) 272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Luu

A handwritten signature in black ink, appearing to read 'Matthew Luu', with a large, stylized initial 'M'.

**MATTHEW LUU
PRIMARY EXAMINER**

It appears that the applicant in this application is a *pro se* applicant (an inventor filing the application alone without the benefit of a Patent Attorney or Agent). Applicant may not be aware of the preferred methods of ensuring timely filing of responses to communications from the Office and may wish to consider using the Certificate of Mailing or the Certificate of Transmission procedures outlined below.

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